

MINUTES
REGULAR MEETING
EAGAR CEMETERY COMMITTEE
22 W. 2nd St., Eagar, AZ
May 5, 2014 – 9:00 a.m.

Cemetery Committee member Becky Pacey welcomed those present and called meeting to order at 9:15 a.m. At roll call all Cemetery Committee members are present except for Chairperson Becky Crosby, Chris Heap, and Norma Coddington, who are absent.

PRESENT: Becky Pacey
 Bryce Burnham
 Linda Eagar
 Councilor Steve Erhart
 Bruce Ray, Interim Town Manager/Public Works

ABSENT: Becky Crosby, Chairperson
 Chris Heap
 Norma Coddington

STAFF: Eva Wilson, Town Clerk
 Marion Wiltbank, Assistant Town Clerk

GUESTS: Alan Slade
 Judy Slade

ITEM #3: OPEN CALL TO THE PUBLIC

Becky Pacey reminded everyone of the Cemetery Clean-Up Day on Friday, May 16, 2014.

ITEM # 4: CONSENT AGENDA

**A. CONSIDERATION AND APPROVAL OF CEMETERY COMMITTEE BOARD
MINUTES OF March 3, 2014**

Becky Pacey moved to approve the minutes of March 3, 2014. Bryce Burnham seconded; all were in favor and the motion carried. 5-0

ITEM #5: NEW BUSINESS

**A. DISCUSSION AND CONSIDERATION TO AMEND CEMETERY TOWN CODE –
TRANSFER OF OWNERSHIP AS IT RELATES TO THE TRANSFER OF OWNERSHIP
FEES**

Becky Pacey turned the time over to Alan Slade. Alan Slade explained their family's situation with their plots when his sister passed away suddenly and his mother wanted her buried in the grave plot, which had Alan Slade's name on it, next to where she would be buried. Paula's plot previously to this was in another plot. They had to pay the \$100 Transfer of Ownership fee for two plots, which cost them \$200. When they put names down in 2006 there wasn't a Transfer of Ownership fee. They didn't take anyone out of the block of plots,

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they just moved the names around. Right now Alan Slade's wife Judy Slade is right next to Paula and Paula's husband is by himself in the family plot. Doreen Ford is the owner of the family plots. Mrs. Ford purchased the plots when her father Richard Slade passed away. It was stated by the Slades that Mrs. Ford had Alan Slade's father Darwin Slade - her brother in charge of the plots since he lived here. Alan Slade and his mother placed names in the plots to show it was owned by the family. They had no intention of having ownership of them.

Mr. Slade questioned if someone else has their family names in all the family block of plots does it cost them to put names of family members in the plots when they are buried in one of the plots? Mr. Slade is asking the Cemetery Committee to consider changing that part of the code, so you can move names within a family plot, especially if you put the names in before the code change. It should have been grandfathered in the Transfer of Ownership part of the code. Mr. Slade has a concern about the Transfer of Ownership fee not being grandfathered and is sure it will affect other families not just the Slade's.

Committee member Linda Eagar informed Mr. Slade why the transfer fee was placed in the code. It was because of people taking advantage of the system and constantly changing/taking the names of family member's totally out of the plot and putting the names they wanted in the plots and another family member coming in and changing them again.

Alan Slade said that his family never intended for the name placement being permanent. He would like the Cemetery Committee to fine tune it. They just put names down to show it belonged to their family. Mr. Slade had to go to his Aunt Doreen Ford to see if he could have his and his wife's name on two of the plots as she was the owner. Believes there should not be a fee for changing names inside of a block of family plots.

Judy Slade stated that Alan Slade's Aunt Doreen Ford has approved all of the names that were placed in the plots.

Town Clerk Eva Wilson was glad that Mrs. Ford's approval of the names in the plots was cleared up. Ms Wilson asked Mrs. Slade to have Mrs. Ford's statement showing her approval of Darwin Slade's ownership of the plots.

Ms Wilson gave the committee the background of the Transfer Fee that was in the Cemetery Ordinance for an Eagar Cemetery Code by the Cemetery Committee in July 22nd and August 11th of 2008. The Cemetery Ordinance went to the Eagar Town Council in September 9, 2008 and the Ordinance and the Cemetery Resolution fee schedule was adopted on September 30th, 2008.

Mr. Slade said the plot cost was too high at \$500. Ms Wilson stated that plots used to sell for \$10 a plot and the Town was having a lot of people that didn't belong to the town/community buying up the plots because they were so cheap. That is why there is a four tiered fee on plots for people that live here in Eagar, Springerville or in Apache County and out of county.

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Alan Slade said that when you are having to pay \$200 in transfer fees and \$360 for opening and closing of the grave that is a lot when you consider that the average earnings in Apache County is around \$37,000.

Linda Eagar said that the opening/closing of a grave costs \$360 when you consider the cost of the machinery and time of the crews. Mr. Slade said that the town use to do the open/close as a service. Mr. Slade said he truly loves the Town of Eagar and tries to buy here and support the Town.

Ms Wilson continued the background of the Cemetery Code -that in 2008 the \$100 Transfer Fee was approved by Council. People were switching plots because they were mad at this or that family member. In 2012 this subject came up again and this is when it was changed from a Transfer Fee to a Transfer of Ownership Fee. Flyers were posted on the website and around town eleven times on this code and the committee had meetings that were two to three hours long. Neil Barton a former Public Works director wanted the Transfer of Ownership Fee to be set at \$150. Once you put a name in a plot that person becomes the owner of the plot.

Bryce Burnham said that in his opinion if someone owns the plots they should be able to change names without having to pay a Transfer of Ownership fee. The owner doesn't have to be the person who is buried in the plot.

Discussion ensued about the owners of plots. Assistant Town Clerk Marion Wiltbank read the definition of Ownership in the Cemetery Code.

Judy Slade said that they would like to remove all of the names from the family plot except for the deceased names of their loved ones that were buried in the plot and shouldn't have to pay a fee to do so.

Councilor Steve Erhart doesn't see why it wasn't grandfathered into the Transfer of Ownership. Ms Wilson said there was no grandfather clause in the Ownership clause.

Councilor Erhart said to give this to Doug Brown with the committee's intent and have Mr. Brown propose the wording change.

Bryce Burnham stated there has to be an absolute owner of the plot who can change names in the plots.

Councilor Erhart stated that Mr. Brown could provide the language to address the issue that inside of a family owned block the names that are assigned by the owner of record can be changed by the owner of record without having to pay a Transfer of Ownership Fee.

Interim Town Manager Bruce Ray said to have it also grandfathered in back to 2008 before the Cemetery Code was put into effect.

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The Cemetery Committee gave direction to have Doug Brown to give his recommendation and recommend the language to the Transfer of Ownership Fee and to grandfather those who owned plots prior to 2008 when the code came into effect (was passed by Council on September 30, 2008).

B. DISCUSSION OF OTHER CEMETERY BUSINESS

Linda Eagar asked about the benches for the cemetery. Interim Town Manager Bruce Ray said there was no money in facilities to pay for benches right now.

ITEM #6: NEXT MEETING

The next meeting will be set when Town Attorney Doug Brown has the changes made to the code.

ITEM #7: ADJOURNMENT

Becky Pacey moved to adjourn the meeting. Bryce Burnham seconded; all were in favor and the motion carried. 5-0

Chairperson Becky Crosby